



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Attorney Gregory R. Lowe, of Santa Barbara (for Petitioner Alan Lowe)

Ex Parte Petition for Appointment as Sole Personal Representative and Issuance of Letters

DOD: 8/11/2007		ALAN LOWE , sole surviving Co-Administrator appointed with Full IAEA authority without Bond on 11/21/2007, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: Order on Ex Parte Petition for Appointment as Sole Personal Representative and Issuance of Letters filed 9/15/2015 finds: <ul style="list-style-type: none"> The Order on Final Distribution on Waiver of Account filed 11/3/2008 did not contain an omnibus clause; The Ex Parte Petition does not identify the heirs of DAVID LOWE, deceased heir and Co-Administrator; Not enough information is provided regarding the account that needs to be closed; Petitioner shall provide notice of the hearing set for 10/13/2015 to all persons entitled thereto. 1. Petitioner states he is the sole beneficiary of the Decedent and that the Co-Administrator DAVID LOWE , post-deceased son of Decedent, died without issue. Need additional information regarding the basis upon which the Petitioner relies for his assertion that he succeeds to the share to which DAVID LOWE is entitled from this Decedent's estate. Petitioner must demonstrate to the Court that the share that passes to the Estate of David Lowe is rightfully to be distributed to the Petitioner rather than to any heirs of the Estate of David Lowe. ~Please see additional page~
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner states: <ul style="list-style-type: none"> A vacancy has occurred in the office of personal representative of the estate due to the death of his co-personal representative, DAVID LOWE, on 10/14/2013; Petitioner is the sole beneficiary of the Decedent and he has waived bond; David Lowe died without issue; notice is not required to anyone; An account in the name of the Decedent remains to be closed, and there is an urgency to have it closed; Amended Letters are required for Petitioner to close the account. Petitioner prays that: <ol style="list-style-type: none"> Petitioner continues as the sole personal representative; Bond not be required; and Amended Letters be issued naming Petitioner as the sole personal representative with full authority under the IAEA. 	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		X
<input type="checkbox"/>	Aff.Mail		X
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: LEG Reviewed on: 10/7/15 Updates: Recommendation: File 1 – Lowe			

NEEDS/PROBLEMS/COMMENTS, continued:

2. Need additional information regarding the after-discovered bank account in the name of the Decedent that remains to be closed, including the sum contained in the account and the nature of the account (such as savings or mutual funds); Court will set a status hearing for the filing of a Supplemental Inventory and Appraisal of the estate to be filed with the Court.
3. Need notice of hearing to be served to any heirs of the *Estate of David Lowe*, such as a surviving spouse or parents.
4. Need amended proposed order that includes a finding that Petitioner shall be accountable for any assets marshalled and for a final distribution of the estate to the persons entitled, to include final estate closure and discharge of Petitioner as personal representative following approval of an *Ex Parte Petition for Final Discharge and Order* (Judicial Council Form DE-295).

Note: If Petition is granted, Court will set status hearings as follows:

- **Thursday, November 19, 2015 at 9:00 a.m. in Dept. 303** for filing of the Supplement Inventory and Appraisal; and
- **Thursday April 14, 2016 at 9:00 a.m. in Dept. 303** for filing of the petition for final distribution and closure of the estate.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

**First Account Current and Report of Successor Conservator of the Estate
and Petition for its Settlement; for Allowance of Fees to the Conservator of
Estate and his Attorney.**

		BRUCE BICKEL , Successor Conservator of the estate, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Disbursement schedule shows payments for auto registrations on a 1965 Chevy totaling \$253.00 however there is no 1965 Chevy listed on the property on hand. Declaration filed on 10/5/15 states an inventory and appraisal, supplemental No. 1 will be filed. – Need Supplemental Inventory and Appraisal. 2. Order does not comply with Local Rule 7.6.1C. All orders settling accounts shall contain a statement as to the balance of the estate on hand, specifically noting the amount of cash included in the balance.
		ROBERT N. LOWDER, III and MARCIA LOWDER are Successor Co-Conservators of the person.	
Cont. from 091515		Account period: 10/12/13 – 12/31/14	
	Aff.Sub.Wit.	Accounting - \$967,789.52	
✓	Verified	Beginning POH - \$742,043.92	
	Inventory	Ending POH - \$734,880.85	
	PTC	Current bond: \$280,000.00	
	Not.Cred.	Attorney - \$2,707.50	
✓	Notice of Hrg	(\$1,250.00 per Local Rule for preparation of the accounting plus 1.5 hrs @275/hr. to update conservatee's estate plan and 4.1 hrs. @ \$250-\$275 for care of conservatee)	
✓	Aff.Mail	Attorney costs - \$435.00 (filing fee)	
	W/	Conservator - \$27,577.07	
	Aff.Pub.	(224.68 hrs. @ \$60-\$150/hr., already received \$10,078.50 per order allowing payment of \$600 per month leaving a balance due of \$17,498.57)	
	Sp.Ntc.	Petitioner prays for an Order:	
	Pers.Serv.	1. Approving, allowing and settling the first account;	
	Conf. Screen	2. Confirming, approving and ratifying all acts and transactions of Petitioner as conservator of the estate;	
	Letters	3. Approving fiduciary commissions and attorney fees and costs.	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	2620(c)		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT

Reviewed on: 10/7/15

Updates:

Recommendation:

File 2 – McDaniels

Note: If the petition is granted, a status hearing will be set as follows:

- **Wednesday, March 1, 2017** at 9:00 a.m. in Department 303, for the filing of the second account.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

Attorney Kruthers, Heather H (for Public Guardian – Trustee)

	PUBLIC GUARDIAN, was appointed as Successor Trustee on 08/03/2011.	NEEDS/PROBLEMS/COMMENTS:
	Second Account Current and Report of Trustee; Petition for Allowance of Compensation to Trustee and Attorney filed 08/26/2014. The ending balance of property on hand is \$170,849.23, all of which is cash.	1. Need Third Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
	Minute Order of 10/14/2014 set this Status Hearing for the Filing of the Third Account on 10/12/2015.	
	Notice of Hearing of Changed Calendar Setting was mailed to Attorney Jeff Reich and Attorney Heather Kruthers informing them of the new date of 10/13/2015.	
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 10/07/2015
		Updates:
		Recommendation:
		File 3 – Rossi

**5 Steven Montes, Veronica Montes, Gabriel Montes, (GUARD/P)
& Israel Montes Case No. 11CEPR00065**

Petitioner Mosqueda, Arthur Alexander, JR (Pro Per – Maternal Uncle)

Petitioner Mosqueda, Christine Diane (Pro Per – Maternal Aunt)

Objector Mosqueda, Anita (Pro Per – Mother)

Petition for Appointment of Temporary Guardian of the Person

Veronica Age: 16		<p align="center"><u>GENERAL HEARING 12/09/2015</u></p> <p>ARTHUR ALEXANDER MOSQUEDA, JR., maternal uncle, and CHRISTINE DIANE MOSQUEDA, maternal aunt, are petitioners.</p> <p align="center"><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petition pertains to minor, Veronica Montes only.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Genaro Montes (Father) • Anita Mosqueda (Mother) 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			X
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: LV</p> <p>Reviewed on: 10/07/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 – Montes</p>				

6 Jesus Soto (Special Needs Trust) Case No. 11CEPR00718**Attorney Kruthers, Heather H (for Public Guardian – Trustee)****Probate Status Hearing Re: Filing of the Next Account**

Age: 24	PUBLIC GUARDIAN , was appointed as Trustee by <i>Minute Order</i> on 4/12/2012.	NEEDS/PROBLEMS/COMMENTS: 2. Need Third Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
	Order Settling Second Account Current and Report of Trustee; Order Authorizing Compensation to Trustee and Her Attorney was filed on 10/20/2014.	
Cont. from	Minute Order of 10/20/2014 set this status hearing for the filing of the 3 rd Account.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 10/07/2015
		Updates:
		Recommendation:
		File 6 – Soto

8 Isaac Roman, Ilin Roman & Ilyssa Roman (GUARD/P)**Case No. 13CEPR00983**

Petitioner: Guillermo Roman (pro per)

Petitioner: Maria Guadalupe Avila (pro per)

Petition for Appointment of Temporary Guardian of the Person

<u>GENERAL HEARING 12/7/15</u>		NEEDS/PROBLEMS/COMMENTS:
MARIA G. AVILA and GUILLERMO ROMAN , maternal grandparents, are petitioners.		This petition is as to ILYSSA ROMAN only.
Cont. from		Petitioners were previously appointed as guardians for Isaac and Ilin (3/27/14).
<input type="checkbox"/>	Aff.Sub.Wit.	
<input checked="" type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Conf. Screen	
<input checked="" type="checkbox"/>	Letters	
<input checked="" type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input checked="" type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input checked="" type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: KT
		Reviewed on: 10/7/15
		Updates:
		Recommendation:
		File 8 – Roman

Attorney Van Doren, Cynthia M., of Selma (for Guardian Stephanie Woodward)

Probate Status Hearing Re: Filing of the First Account

Age: 11 years	<p>STEPHANEE WOODWARD, mother's first cousin, was appointed Guardian of the Person and Estate on 8/22/2014.</p> <p>Letters issued on 8/22/2014.</p> <p>Final Inventory and Appraisal was filed 1/9/2015 showing an estate value of \$61,189.25.</p> <p>First account of the guardianship estate was due 8/22/2015.</p> <p>Notice of Setting Status Hearing filed 8/28/2014 set this status hearing on 10/13/2015 for filing of the first account of the guardianship estate.</p> <p>Clerk's Certificate of Mailing shows the notice was mailed to Attorney Van Doren on 8/28/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account of the guardianship estate, or verified status report pursuant to Probate Code § 12200, and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 10/7/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Dela Fuente</p>

19 In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Attorney: Steven S. Picone, (for Objectors Daniel Caballero & Baldermar Martinez)

Attorney: Lisa Horton (for Petitioner Rande L Gramenz)

Amended First Account and Report of Trustee and Petition for its Settlement

		RANDE L. GRAMENZ , Successor Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states settlor, Opal E. Gramenz, died on 12/28/12.	Continued from 9/1/15. Minute order states Ms. Horton reports that she is trying to work things out with Mr. Picone.
Cont. from 090115			
	Aff.Sub.Wit.	Account period: 12/29/12 – 6/30/15	
✓	Verified	Accounting - \$1,575,344.83	
	Inventory	Beginning POH - \$1,432,128.43	
	PTC	Ending POH - \$1,334,752.81	
	Not.Cred.		
✓	Notice of Hrg	Petition states pursuant to Article V section 1 of the trust he has paid his attorney \$5,000.00.	
✓	Aff.Mail	Pursuant to Probate Code §15681 he is entitled to reasonable compensation from the Trust.	
	Aff.Pub.	Trust funds totaling \$14,850.00 have been used to pay Trustee's reasonable compensation for his services. This figure was derived from 1% of the total sale price (\$1,485,000) of the duplex.	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	Petitioner states the decedent has a bank account at Chase with Kenneth Caballero for the purpose of having someone available to sign checks. Kenneth Caballero was a joint owner but never signed a check, deposited or withdrew funds from the account while the Decedent was alive. All of the funds in the account on Decedent's date of death were hers. After Decedent's death, Kenneth Caballero used some of the funds to pay for funeral expenses, but kept the remaining funds. Trustee demanded the funds so that they could be deposited into the trust account but Kenneth Caballero refused. Since Kenneth Caballero kept those funds, then in the sum of those funds (\$59,494.49, after the payment of funeral expenses) will be counted as a preliminary distribution and taken from Kenneth Caballero's distributive share.	
	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	Petitioner prays that the Trustee's first account and report be settled, allowed and approved as filed.	
			Reviewed by: KT
			Reviewed on: 10/7/15
			Updates:
			Recommendation:
			File 19 - Gramenz

Objections to Amended First Account and Report filed by Daniel Caballero and Baldemar Martinez on 8/31/15. Objectors object to the Accounting with respect to Petitioner Trustee's assertion that the joint checking account titled in the name of Kenneth Caballero and Opal Gramenz was a Trust asset and that Kenneth Caballero's beneficial interest in the Trust should be reduced by the amounts left in the joint account at the date of Opal Gramenz's death.

Petitioner's assertion that the funds in the Chase Bank joint account are trust assets and should be counted against Kenneth Caballero's share is flatly wrong as a matter of law. As such the accounting should be revised.

Probate Code §5302 (a) establishes in pertinent part that:

"Sums remaining on deposit at the death of a party to a joint account belong to the surviving party or parties as against the estate of the decedent unless there is clear and convincing evidence of a different intent. . ."

Petitioner has not alleged, let alone proven, that Opal Gramenz and Kenneth Caballero intended for the money held in the Chase joint checking account to be distributed in a different manner other than that provided for by law.

Wherefore, Objectors pray as follows:

1. That the Petition to Approve the Amended Account be denied;
2. That Rande L. Gramenz be ordered to file and serve a code compliant amended accounting of the Trust within 45 days of issuance of the order;
3. For costs, and for such other and further relief as the Court deems just and proper.

Petitioner

Campbell, Phyllis Renee (pro per – maternal cousin)

Petition to Appoint Guardian of the Person

Age: 9		<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:	
		PHYLLIS CAMPBELL, maternal cousin, is Petitioner.		1. The UCCJEA is incomplete. Need minor's residence history for the past 5 years.	
		Father: SCOTT HOBSON – served by mail on 09/30/15		2. Need proof of service of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:	
Cont. from 090115		Mother: JOANNA ROWE – personally served on 07/20/15		a. Scott Hobson (father) – personal service required; Proof of Service filed 10/02/15 indicates that Mr. Hobson was served by mail on 09/30/15, however the parents are entitled to Personal service	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC	Paternal grandfather: DECEASED Paternal grandmother: ANGEL HOBSON – served by mail on 09/30/15			
	Not.Cred.				
✓	Notice of Hrg	Maternal grandfather: DECEASED Maternal grandmother: STACY THOMAS – served by mail on 09/30/15		3. Proof of Service filed 10/02/15 indicates that Scott Hobson (father), Angel Hobson (paternal grandmother) and Stacy Thomas (maternal grandmother) were served by mail on 09/30/15, which is only 13 days notice. The Probate Code requires 15 days notice.	
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	w/			
✓	Conf. Screen				
✓	Letters	Petitioner states [see Petition for details].			
✓	Duties/Supp	Sibling: ALEXIS LOPEZ – Consent & Waiver of Notice filed 07/02/15			
	Objections	Court Investigator Samantha Henson filed a report on 08/26/15.			
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting			Reviewed by: JF	
	Status Rpt			Reviewed on: 10/07/15	
✓	UCCJEA			Updates:	
	Citation			Recommendation:	
	FTB Notice			File 21 – Hobson	

Petitioner: Cynthia Garza Lopez (pro per)

Attorney: Lisa Horton (court appointed for conservatee)

Petition for Appointment of Probate Conservator

		THERE IS NO TEMPORARY. No temporary was requested.	NEEDS/PROBLEMS/ COMMENTS:
		CYNTHIA G. LOPEZ, mother, is petitioner	Court Investigator Advised Rights on 8/11/15
Cont. from 090115		Please see petition for details.	Continued from 9/1/15. Minute order states the petitioner is provided a copy of the examiner notes and directed to cure the defects. As of 10/7/15 the following issues remain:
	Aff.Sub.Wit.		
✓	Verified	Court Investigator Report filed 8/26/15.	1. Petition indicates the proposed conservatee is developmentally disabled. Therefore need proof of service of the Notice of Hearing along with a copy of the Petition, 30 days prior to the hearing, on regional center pursuant to Probate Code §1822(e).
	Inventory		
	PTC		2. Need Capacity Declaration re: medical consent.
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W/	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 10/7/15
			Updates:
			Recommendation:
			File 22 – Valenzuela

Attorney: Gary G. Bagdasarian (for Petitioner Steven Seagraves)
Attorney: Curtis D. Rindlisbacher (for Objector Gregory Seagraves)

Petition by Successor Co-Trustee/Beneficiary for Removal of Successor Co-Trustee and Appointment of Sole Successor Trustee

			<p>STEVEN SEAGRAVES, Successor Trustee of the Trust, is petitioner.</p> <p>Petitioner alleges:</p> <p>The SEAGRAVES FAMILY TRUST was established by declaration of Trust dated 6/13/12 by settlors ELMER LEON SEAGRAVES and RUBY T. SEAGRAVES.</p> <p>Elmer L. Seagraves was the initial trustee.</p> <p>Elmer L. Seagraves died on 6/16/15.</p> <p>Pursuant to the terms of the trust, upon death of Elmer L. Seagraves, Steven Seagraves and Darrell Seagraves, children of the settlors, were appointed successor Co-Trustees. In addition, pursuant to the terms of the Trust, Steven Seagraves and Darrell Seagraves, were beneficiaries of equal shares of the Trust estate upon the passing of Ruby T. Seagraves.</p> <p>Darrell Seagraves is currently incarcerated in the Fresno County Jail.</p> <p>The Trust provides that if an individual Trustee cannot participate in the activities because of physical or mental incapacity, or otherwise cannot act, during any period of incapacity, the Co-Trustee, or if there is no Co-Trustee, then the Successor Trustee shall act as Trustee, having all rights and powers granted to the Trustee by instrument. Petitioner alleges that the incarceration of Darrell Seagraves prevents him from participating in the Trust activities and is otherwise unfit to administer the Trust pursuant to Probate Code §15642(b)(2).</p> <p align="center">Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/15/15. Minute order states the Court grants temporary orders to Steven Seagraves without prejudice. Any written objections are to be filed and properly served no later than 10/6/15.</p> <p>1. Need Order</p>
Cont. from 091515				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W/		
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

The trust provides that no bond shall be required of any person named in the instrument as Trustee.

Petitioner requests that:

1. The Court appoint Steven Seagraves as sole successor Trustee of the Seagraves Family Trust dated June 13, 2012;
2. Steven Seagraves be granted full authority as sole Successor Trustee of the real property assets of the Trust including but not limited to property located at 5078 E. Weathermaker, Fresno;
3. The Court determine that no bond be required of the sol Successor Trustee.

Order appointing Steven Seagraves as acting sole successor Trustee until 10/13/15 was signed on 9/15/15.

Objection to Petition for Removal of Co-Trustee, with proof of service, filed on 10/2/15. GREGORY SEAGRAVES, in his capacity as agent for **DARRELL LEON SEAGRAVES**, is objector. Objector admits that Darrell Leon Seagraves is being held in the Fresno County Jail pending disposition of charges that have been filed against him. Objector believes that Darrell Leon Seagraves has plead "Not Guilty" to each of those charges. Darrell Leon Seagraves is presumed innocent of those charges and his being temporarily held in custody does not prevent him from fulfilling his duties as a Co-Trustee. The only asset of the Trust consists of the residence of Ruby Seagraves as well as the household furniture, furnishings and personal effects of Ruby Seagraves. Any administrative duties can be performed by Objector by discussing decisions with him and bringing any necessary documents to him for signature.

Objector further alleges that it was the express intent of his parents that Objector Darrell Leon Seagraves serve together with Steven Seagraves as Co-Trustees unless either one was incapacitated.

Darrell Leon Seagraves has lived with his parents for many years and was caring for his mother prior to being taken into custody. When released from custody Objector is informed and believes that Darrell Leon Seagraves plans to return to his parents' home to care for his mother.

Objector believes that Ruby Seagraves wants to reside in her own residence. There are caretakers who could be hired to provide for her own care in her own home, but Objector alleges Steven Seagraves is more interested in preserving the assets of the trust for his own use following the death of Ruby Seagraves than managing and administering the trust for the care of Ruby Seagraves.

On or about 8/13/15, Objector asked Steven Seagraves how much money was available and was told there was approximately \$60,000 in a CD and \$10,000 in the checking account. Steven Seagraves told Objector that he used about \$7,000 for his attorney's fees.

Objector Prays that the Petition of Steven Seagraves be denied and that Steven Seagraves and Darrell Leon Seagraves continue to serve as Co-Trustees.

Attorney: Stephen M. Denning (for Petitioner Andrea Cantu)

Attorney: Flora Istanboulia (court appointed for Conservatee)

Petition for Appointment of Probate Conservator

			<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>ANDREA CANTU, daughter, is petitioner.</p> <p>Please see petition for details.</p> <p>Court Investigator Report filed on 9/10/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 9/1/15.</p> <p>Voting rights affected need minute order.</p>
Cont. from 091515				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W/		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 10/7/15	
			Updates:	
			Recommendation:	
			File 24 – Rios	